

# **Exhibit 70**

## **Martin Tripp Deposition**

### **Excerpts**

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

**REPORTER'S CERTIFIED  
TRANSCRIPT**

# CONFIDENTIAL

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## VIDEOTAPE DEPOSITION OF MARTIN TRIPP

PHOENIX, ARIZONA  
WEDNESDAY, SEPTEMBER 4, 2019  
9:01 A.M.

DAVID M. LEE, RMR, CCR  
Certified Reporter  
Certificate Number 50391  
File No.: 19-29468



09:48	1	Q. Which year?
09:48	2	A. 2015.
09:48	3	Q. So you were married in 2015.
09:48	4	A. Yes, so four years.
09:48	5	Q. When you were sharing information with
09:48	6	Linette Lopez, information that you had obtained
09:48	7	from Tesla, did -- did your wife know about that?
09:48	8	A. She did not.
09:48	9	Q. Did you tell her that "I might lose my
09:49	10	job"?
09:49	11	MR. FISCHBACH: I'm going to object on the
09:49	12	basis of marital privilege and instruct the witness
09:49	13	not to answer.
09:49	14	MR. GATES: And we're going to play this
09:49	15	little game probably throughout, which is he
09:49	16	instructs you not to answer. I ask you "Are you
09:49	17	going to follow your attorney's instruction?" So
09:49	18	you have to decide whether or not to follow his
09:49	19	instruction.
09:49	20	Q. So I'm going to ask you are you going to
09:49	21	follow your attorney's instruction?
09:49	22	A. Yes, I am.
09:49	23	Q. When you were sharing information with
09:49	24	Linette Lopez, information that you had taken from
09:49	25	Tesla, how did you think it was all going to end?

09:49 1 What did you think was going to be accomplished?

09:49 2 A. I was hoping that it would cause Tesla to

09:49 3 change its ways and improve things. That's what I

09:50 4 was hoping for.

09:50 5 Q. Did you think that even if Tesla changed its

09:50 6 ways, it might have been upset that somebody had

09:50 7 taken its information and shared it with a reporter?

09:50 8 MR. FISCHBACH: Objection; foundation.

09:50 9 Answer if you can.

09:50 10 THE WITNESS: That was a possibility, but

09:50 11 based on the issues that I saw, I was more concerned

09:50 12 to get the information out than the repercussions

09:50 13 from that.

09:50 14 Q. BY MR. GATES: Did you think in the end you

09:50 15 were going to be seen as a hero?

09:50 16 A. I did not think of it that way at all.

09:50 17 Q. You didn't.

09:50 18 What did you think was going to happen

09:50 19 with your job?

09:50 20 A. I didn't think that far ahead; I was not

09:50 21 worried. I was more concerned about public safety.

09:51 22 Q. Do you think you should be viewed as a hero

09:51 23 for disclosing Tesla's confidential information to

09:51 24 a reporter?

09:51 25 A. No.

11:09 1 MR. FISCHBACH: Object to the form of the  
11:09 2 question.  
11:09 3 Answer if you can.  
11:09 4 THE WITNESS: From my experience at  
11:09 5 previous employers.  
11:09 6 Q. BY MR. GATES: Okay.  
11:09 7 And those are the previous employers  
11:09 8 that would say that you were an excellent employee.  
11:09 9 A. Yes.  
11:09 10 (Deposition Exhibit Number 19 was marked  
11:10 11 for identification.)  
11:10 12 Q. BY MR. GATES: All right. Let me give you  
11:10 13 what's been marked as Exhibit 19.  
11:10 14 So this is an e-mail that you sent to  
11:10 15 Linette Lopez on May 30th, 2018. Is that right?  
11:10 16 A. That is correct.  
11:10 17 Q. And she is asking you to comment on certain  
11:10 18 things from Tesla's quarterly report; right?  
11:10 19 A. It appears, yes.  
11:10 20 Q. So you had raised a couple of concerns with  
11:10 21 Ms. Lopez about scrap. You said Model 3 production  
11:10 22 numbers, and safety concerns you said, because you  
11:10 23 wanted to see change at Tesla; right?  
11:10 24 A. Yes.  
11:10 25 Q. And now she's asking you to comment on all

11:11 1 were -- no one was addressing.

11:11 2 Q. So you were just going to keep going and

11:12 3 keep going, until every one of your issues was

11:12 4 addressed.

11:12 5 MR. FISCHBACH: Object to the form of the

11:12 6 question.

11:12 7 Answer if you can.

11:12 8 THE WITNESS: They weren't necessarily my

11:12 9 issues, they were everybody's issues.

11:12 10 Q. BY MR. GATES: Okay. So every issue that

11:12 11 you saw that you thought was an issue or problem at

11:12 12 the Tesla Gigafactory, you were going to keep giving

11:12 13 Linette Lopez information about it until it was

11:12 14 resolved to your satisfaction.

11:12 15 MR. FISCHBACH: Same objection.

11:12 16 Answer --

11:12 17 Q. BY MR. GATES: Right?

11:12 18 MR. FISCHBACH: Answer if you can.

11:12 19 THE WITNESS: Yes.

11:12 20 (Deposition Exhibit Number 20 was marked

11:12 21 for identification.)

11:12 22 Q. BY MR. GATES: Okay. Let me give you what

11:12 23 will be marked as Exhibit 20.

11:13 24 Okay. Mr. Tripp, so Exhibit 20 is an

11:13 25 e-mail that you sent from -- from yourself to

1                   I CERTIFY that the foregoing deposition  
2 was taken by me pursuant to Notice; that I was then  
3 and there a Certified Reporter for the State of  
4 Arizona, and by virtue thereof authorized to  
5 administer an oath; that the witness before  
6 testifying was duly sworn by me to testify to the  
7 truth; that the questions propounded by counsel and  
8 the answers of the witness thereto were taken down  
9 by me in shorthand and thereafter transcribed under  
10 my direction, and that the foregoing typewritten  
11 pages contain a full, true, and accurate transcript  
12 of all proceedings had upon the taking of said  
13 deposition, all done to the best of my skill and  
14 ability; that deposition review and signature was  
15 requested.

16                   I FURTHER CERTIFY that I am in no way  
17 related to nor employed by any of the parties  
18 hereto, nor am I in any way interested in the  
19 outcome hereof.

20                   DATED at Phoenix, Arizona, this 16th  
21 day of September, 2019.

22                   

23                   \_\_\_\_\_  
24                   David M. Lee, RMR, CRR  
25                   Arizona Certificate No. 50391